

BEFORE THE NEBRASKA LIQUOR CONTROL COMMISSION

In Re: CELENA & MATTHEW MORTIMER)
"Mortie's Bar")
214 Main Street)
Scotia NE 68875)
Retail Class CK-67540 Liquor License)

O R D E R

Now on the 13th day of April, 2006, this matter came on for hearing before the Nebraska Liquor Control Commission, notice having been served upon the licensee to appear and respond to an administrative citation alleging that the license should be suspended, cancelled or revoked as more fully set out herein.

In accordance with the commission's policies, a proper notice of this hearing was sent by U. S. Certified Mail, return receipt requested, and was received and signed for.

The licensee was not present nor represented. The State was represented by Milissa Johnson-Wiles, Assistant Attorney General.

Based upon the testimony of the witness and the evidence received in this case, the Commission finds the following:

FINDINGS OF FACT:

1 That on December 18, 2005, open containers of alcoholic liquor remained in possession or control of persons for the purposes of consumption after 1:15 a.m.

CONCLUSIONS OF LAW:

1. That the permitting of open containers of alcoholic liquor to remain or to be in possession or control of persons for the purposes of consumption after 1:15 a.m., is in direct violation of Section 53-179(3) of the Nebraska Statutes and/or 237-LCC6-019.01D of the Rules and Regulations of the Nebraska Liquor Control Commission.

1. That the license should be suspended for a period of seven (7) days.

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED that the Class CK License of Celena & Matthew Mortimer dba "Mortie's Bar", 214 Main Street, Scotia, Nebraska, should be, and the same hereby is, suspended for a period of seven (7) days, such suspension to commence at the closing hour of business on the 18th day of June, 2006, and to continue until the opening hour of business on the 26th day of June, 2006.

IT IS FURTHER ORDERED that the notice of suspension shall be posted upon the premises, said notice to remain posted throughout the term of said suspension.

IT IS FURTHER ORDERED that the licensee shall pay costs of this action, assessed in the amount of \$311.78.

Dated this _____ day of May, 2006

NEBRASKA LIQUOR CONTROL COMMISSION

BY _____
(Chairman)